

ORIGINAL

COPYRIGHT ROYALTY BOARD

In the Matter of

DETERMINATION OF RATES AND TERMS
FOR BUSINESS ESTABLISHMENT SERVICES

)
)
) Docket No. 2007-1 CRB DTRA-BE
)
)
)
)
)

MUSIC CHOICE'S PETITION TO PARTICIPATE

Pursuant to 17 U.S.C. § 803(b)(1), Copyright Royalty Judges Rules and Procedures, 37 C.F.R. § 350.1(b)(1), and 72 Fed. Reg. 584, Music Choice hereby petitions to participate in the above-captioned proceeding before the Copyright Judges to determine the reasonable rates and terms for the making of ephemeral copies of a sound recording under 17 U.S.C. § 112(e)(1) for later transmission by entities that transmit performances of a sound recording to business establishments under 17 U.S.C. § 114(d)(1)(C)(iv).

Music Choice has a significant interest in the subject matter of this proceeding because it makes ephemeral copies of sound recordings to facilitate transmission of performances of those sound recordings to business establishments, and relies upon 17 U.S.C. § 112(e)(1) for those ephemeral copies. Music Choice will therefore be subject to the rates and terms established in this proceeding.

The requisite \$150 filing fee is submitted herewith.

Dated: January 22, 2007.

JAN 29 2007

Respectfully submitted,

MUSIC CHOICE

By: 

Paula Calhoun
Senior Vice President
and General Counsel
110 Gibraltar Road
Horsham, PA 19044
pcalhoun@musicchoice.com
Phone: (215) 784-5872
Fax: (215) 784-5886